

FILED
Clerk
District Court

JUN 30 2008

**IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF THE NORTHERN MARIANA ISLANDS**

For The Northern Mariana Islands
By _____
(Deputy Clerk)

UNITED STATES OF AMERICA,)	CRIMINAL CASE NO.: 08-00017-001
)	
Plaintiff,)	
)	INFORMATIONAL REPORT
vs.)	
)	
DOMINIC D. CHIPWELONG,)	
)	
Defendant.)	
)	

Re: Violation of Pretrial Release Conditions, No Action Requested

On May 14, 2008, Dominic D. Chipwelong was named along with Masaioshy D. Sallem and James Ochcha in a three-count Indictment, which alleges the following offenses: Count I - Conspiracy to Sell Government Property, in violation of 18 U.S.C. § 641; Count II - Theft of Government Property, in violation of 18 U.S.C. § 371; and Count III - Destruction of Veterans' Memorials, in violation of 18 U.S.C. § 1369. The defendant was specifically named in Counts I and II. On May 15, 2008, the defendant appeared before the court and entered a plea of not guilty to the charges. Trial was set for July 14, 2008.

On June 2, 2008, the defendant was released under the following conditions: that he remain in the custody of a court-approved third-party custodian; that he report to the U.S. Probation Office and submit to pretrial supervision; that he post a \$5,000 unsecured bond; that he surrender his passport and travel documents and not obtain any new ones; that he not leave the island of Saipan without permission from the court; that he avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, unless in the presence of his attorney and only for the preparation of his defense; that he refrain from possessing a firearm, destructive device, or other dangerous weapon; that he refrain from any use of alcohol; that he refrain from use or unlawful possession of a narcotic drug or other controlled substance, unless prescribed by a licensed medical practitioner; that he submit to any method of testing required by the supervising officer for determining whether he is using a prohibited substance; that he report as soon as possible, to the pretrial services officer any contact with law enforcement personnel; and that he be allowed to attend to his father on a daily basis from 5:00am to 3:00pm (allowing for travel time to and from the residence) and that there be no weapons at his father's house.

Informational Report

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On June 7, 2008, the defendant failed to report to Marianas Psychiatric Services for a scheduled urinalysis. He then reported to this office on June 9, 2008 for a non-compliance meeting, at which time he submitted to a drug test. The results of the test were presumptive positive for the presence of marijuana. The defendant denied recent drug use and insisted that the last time he smoked marijuana was in December of 2007. The specimen was packaged and sent to the Scientific Testing Laboratory (STL) in Richmond, Virginia for analysis.

On June 12, 2008, the defendant returned to the probation office and admitted that he smoked marijuana on approximately May 31, 2008 while incarcerated at the Department of Corrections (DOC), in Susupe, Saipan. He reported that he encountered several men smoking marijuana in the restroom. They offered him some marijuana and he accepted. He could not recall the names of the men and stated that he would not be able to identify them again. The defendant signed a written statement that he smoked marijuana on approximately May 31, 2008. The results of the urine test were later returned by STL on June 17, 2008 and confirmed the presence of marijuana.

The defendant tested positive for marijuana during random drug tests on June 13, 2008, June 18, 2008, June 19, 2008, and June 20, 2008. On June 20, 2008, this officer questioned the defendant about his drug use prior to his arrest and he admitted that he was a chronic marijuana user, having smoked on a daily basis for about seven years. He admitted that he lied to this officer during his pretrial interview about his previous drug use. Based on the defendant's admission of chronic marijuana use, it was determined that it would take approximately four to six weeks before the drug cleared his system.

On June 26, 2008, almost four weeks after his admitted use, the defendant's drug test was negative for marijuana and other illicit substances.

It is recommended that this report be for informational purposes only and no action be taken at this time.

Respectfully submitted,

ROSANNA VILLAGOMEZ-AGUON
Chief U.S. Probation Officer

By:


MELINDA N. BRUNSON
U.S. Probation Officer

Reviewed by:


CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

cc: Beverly McCallum, Assistant U.S. Attorney
George Hasselback, Defense Counsel
File